

barred by the doctrine of sovereign immunity. This is because such claims are specifically excluded under the FTCA. [28 U.S.C. § 2680\(b\)](#); [Davric Maine Corp. v. United States Postal Service, 238 F.3d 58, 62 \(1st Cir. 2001\)](#).

Accordingly, the Motion to Dismiss and/or Summary Judgment is granted, and this action is dismissed. Further, the Court certifies, pursuant to [28 U.S.C. § 1915\(a\)\(3\)](#), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

January 25, 2013
Date

/s/ Benita Y. Pearson
Benita Y. Pearson
United States District Judge